

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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SO. DIST. OF GA.

UNITED STATES OF AMERICA)
)
)
v.) Case No. 418-260
)
)
DAVID MCCLOSKEY, *et. al.*)
Defendants.)

ORDER GRANTING GOVERNMENT'S MOTION TO DECLARE CASE COMPLEX

This matter came before the Court by oral motion at the defendants' arraignments and later by a written motion filed by the United States. At the arraignments, this Court granted the oral motion to declare the case complex, without objection from any of the parties. For good cause shown, the Court hereby files this written order granting the government's motion to declare this case complex.

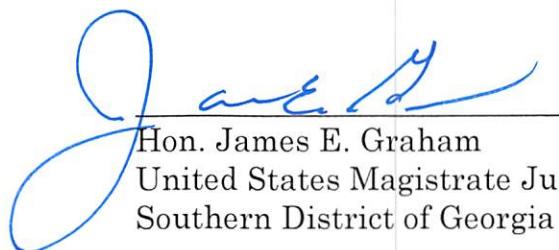
Title 18, United States Code, Section 3161 sets forth general timelines declaring when federal criminal cases should proceed to trial. See e.g., 18 U.S.C. § 3161(c)(1). The same statute also sets forth exceptions to the general time lines; and allows additional time in complex cases if the Court grants the additional time "on the basis of a finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial." Id. at § 3161(h)(7)(A). When additional time is granted, a Court must set forth the reasons for the additional time. This Court hereby does so in writing with this document.

The Court finds this case to be complex for the following reasons:

- a. The case involves forty-three defendants, some of whom reside in prison and in other jurisdictions.
- b. The case involves multiple jurisdictions.
- c. The case involves a conspiracy that started in 2015 and continued until the return of the indictment.
- d. The case involves substantial amounts of evidence and discovery.

Because this Court finds that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established in Title 18, United States Code, § 3161, this Court grants the government's motion to declare the case complex. The speedy trial clock is tolled due to the complexity of this case so the parties may adequately and thoroughly represent their respective clients.

So Ordered this 29th day of November 2018.



Hon. James E. Graham
United States Magistrate Judge
Southern District of Georgia